

H.A

Notice of Allowability

Application No.

09/981,219

Applicant(s)

LINTON ET AL.

Examiner

Kimberly D. Nguyen

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed October 22, 2004.
2. ☒ The allowed claim(s) is/are 15,16,26 and 97-102.
3. ☒ The drawings filed on 16 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>10/27/04, 12/16/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Amendment

1. Acknowledgement is made of Information Disclosure Statements filed October 27, 2004 and December 16, 2004, which have been considered by the Examiner.

Allowable Subject Matter

2. Claims 15-16, 26, and 97-102 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The record of prior art fails to teach a method of distributing a plurality of products from a cabinet having a door, the method comprising: fitting each product with a radio frequency identification tag; positioning the plurality of products in the cabinet; sensing opening and closing of the cabinet door; scanning the plurality of products in the cabinet upon sensing closing of the cabinet door to determine the number and type of products in the cabinet; generating a message based on the number and type of products in the cabinet; transmitting the message to a server; maintaining an inventory in the server based on the message; reading a code on a user badge; acknowledging having read the user badge; determining the authenticity of the code read from the user badge; and opening the cabinet if the code read from the user badge is authentic, wherein the server uses a self-updating boot up procedure, the procedure comprising: (a) receiving a message containing a most recent software version number; (b) comparing a software version number currently used to the most recent software version number; (c) downloading the most recent software version if versions differ when compared; (d) writing the downloaded software to memory; and (e) booting the downloaded software.

Although, de Prins teaches a method of distributing a plurality of products from a lock cabinet having a door, the method comprising: positioning the plurality of products cabinet; sensing opening and closing of the cabinet door; scanning the plurality of products in the cabinet upon sensing closing of the cabinet door to determine the number and type of products in the cabinet; generating a message based on the number and type of products in the cabinet; transmitting the message/data to a server; and maintaining a inventory in the server based on the message. However, de Prins fails to teach or fairly suggest the steps of each product is fitted with a radio frequency identification tag; reading a code on a user badge; acknowledging having read the user badge; determining the authenticity of the code read from the user badge; and opening the cabinet if the code read from the user badge is authentic, wherein the server uses a self-updating boot up procedure, the procedure comprising: (a) receiving a message containing a most recent software version number; (b) comparing a software version number currently used to the most recent software version number; (c) downloading the most recent software version if versions differ when compared; (d) writing the downloaded software to memory; and (e) booting the downloaded software.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN
February 18, 2005



DIANE I. LEE
PRIMARY EXAMINER